



POLICE LEGAL ADVISOR

Purpose:

To actively support and uphold the City's stated mission and values. To provide a wide range of professional legal advice on criminal and civil law to members of the Police Department; to research and advise on criminal investigations; and to provide highly complex staff assistance to the Chief of Police.

Supervision Received and Exercised:

Receives general direction from the Chief of Police.

Exercises functional and technical supervision over administrative and support staff.

Special Feature:

This classification differs from other attorney classifications at the city in that it reports directly to the Chief of Police and will not perform litigation.

Examples of Duties:

This class specification is intended to indicate the basic nature of positions allocated to the class and examples of typical duties that may be assigned. It does not imply that all positions within the class perform all of the duties listed, nor does it necessarily list all possible duties that may be assigned.

Duties may include, but are not limited to, the following:

- Provide legal advice to Police Department Command Staff and supervisors on administrative and operational issues.
- On call (at all times along with weekends and holidays) to provide legal consultation and guidance to law enforcement personnel conducting criminal investigations; respond to major incidents involving serious injury, death, and/or extensive property damage related to police action.
- Provide written legal opinions for department including investigation of facts and conducting legal research.
- Prepare department's legal documents including, but not limited to, draft orders and documents required for search, seizure, and forfeiture activities

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or other investigative purposes.

- Research court cases and legislative actions affecting law enforcement operations and notify appropriate personnel.
- Consult the city's Intergovernmental Relations Director on legislative issues of interest to the Police Department.
- Foresee potential liability concerns; conduct legal research along with reviewing recent court decisions to determine the relationship with current and/or proposed policies, procedures, law enforcement protocol, officer training, handling / disposition of evidence, etc.; recommend, draft, and/or amend revisions to policy and procedures.
- Consult the city's Risk Management Department and City Attorney's Office on individual claims against the Police Department; compile and summarize the Police Department's position in response to any claims.
- Serve as liaison between the Police Department and city attorneys handling civil litigation cases.
- Evaluate claims against the Police Department, examine reports of enforcement activities, and review disciplinary matters to identify trends / patterns and recommend changes in policies and procedures as need.
- Coordinate and conduct training on legal matters. Review operational training outlines.
- Review hiring, transfer, promotional, and compensation processes in conjunction with the City Attorney's Office and the Human Resources Department for compliance with city policy and State and Federal requirements.
- Review internal personnel investigations and any proposed disciplinary actions.
- Represent the department and city at merit board hearings involving Police Department employees.
- Assist in negotiating the MOU with the TOA and other Police Department work groups requesting formal representation under the city's meet and confer ordinance.
- Assist with RICO forfeitures proceedings as directed by the City Attorney.
- Administer citizen review board.

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- Attend and participate in Police Department Command Staff meetings.
- Attend and participate in police legal advisors association meetings, such as LAAA (Legal Advisors Association of Arizona).

Experience and Training Guidelines:

Any combination of experience and training that would likely provide the required knowledge and abilities is qualifying. The hiring department may include job related experience, training or license and certification preferences at the time of recruitment. A typical way to obtain the knowledge and abilities would be:

Experience:

Minimum of five years of professional legal attorney experience as a police legal advisor, public prosecutor, deputy state attorney general, assistant city attorney, or equivalent; OR lead counsel experience in defending police departments and their personnel in at least five civil lawsuits.

Training:

Requires a Juris Doctorate from an accredited law school.

Licenses/Certifications:

Current membership in the State Bar of Arizona.

This position is unclassified and pursuant to City of Tempe Personnel Rules and Regulations, Rule 1, Section 104, the employee or the City can terminate the employment relationship at any time, for any or no reason, with or without cause or notice.

Job Code: 0610

FLSA: Exempt